



# Press Release



**Congressman John Conyers, Jr.  
Michigan, 14<sup>th</sup> District**

**Ranking Member, U.S. House Judiciary Committee  
Dean, Congressional Black Caucus**

[www.house.gov/judiciary\\_democrats/index.html](http://www.house.gov/judiciary_democrats/index.html)

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**For Immediate Release:  
February 25, 2005**

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**Conyers and Nadler Express Concern over Kansas AG's Request for  
Medical Records On Women Who Obtained Abortions**

Congressman John Conyers, Jr., and Congressman Jerrold Nadler sent the following letter to Kansas State Attorney General, Phill Kline, expressing their concern over the investigation of Kansas women who obtained abortions in 2003:

February 25, 2005

Dear Attorney General Kline:

We write to express our concern regarding actions taken by your office to conduct an inquisition into Kansas women who obtained abortions at two Kansas clinics in 2003 and ask that you immediately desist from these actions. We have recently learned that under the guise of investigating suspected child abuse, you have sought the medical records of nearly 90 females, including the patient's name, medical history, details of her sex life, birth control practices and psychological profile.<sup>1</sup> Moreover, a gag order has prevented the clinics from even disclosing to patients that their records are being sought. These demands on clinics would appear to violate the doctor - patient privilege and providing the confidential medical information of young women constitutes a serious violation of federal privacy rights.

We believe your intrusion into the most private aspects of women's medical histories, and the challenge to the medical privacy of Kansas residents contravenes longstanding public policy protecting the privacy of personal medical records as well as constitutional protections of privacy and reproductive choice. This public policy was most recently reaffirmed by Congress with the enactment of the Health Insurance Portability and Accountability Act of 1996 [HIPAA] which protects against the disclosure of "individually identifiable health information" including patient records.

In our judgment, your inquisition constitutes an abuse of power and an intrusion into women's privacy. Any contention that a right to an individual's medical privacy is outweighed by the state's desire to investigate a case in which the patient is not even a party, threatens every American seeking medical care for any reason. I hope that upon further consideration your office will abandon this assault on the federal privacy rights of Kansas women.

Please let my office know your plans regarding this matter, and any legal authority you are aware of that contradicts the above legal authority by March 9, 2005. If you have any questions regarding this request please contact Perry Apelbaum, Chief Counsel, or Ted Kalo, General Counsel, at (202) 225 6906.

Sincerely

Congressman John Conyers, Jr.  
Ranking Member, US Committee on the Judiciary

Congressman Jerrold Nadler  
Ranking Member, Subcommittee on the  
Constitution

##JUD-109-02/25/05##

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<sup>1</sup> Ron Sylvester. *Kline Seeks Identities of Abortion Recipients*, WICHITA EAGLE; Feb 25, 2005.

